

Ex. 6

Attorney emails

From: David Anderson <danderson@lattianderson.com>
Sent: Friday, January 26, 2018 2:49 PM
To: Dave Farrell
Subject: RE: NLFIC and BoatU.S. v. Carman; D. R.I. Case 1:17-cv-00038-S-PAS

Dear Mr. Farrell,

Thank you for providing me with copies of the deposition exhibits from the deposition of Mr. Carman. I strongly disagree with your below characterization of our disputes during Mr. Carman's deposition. However, it seems silly to me to argue about statements that will be documented by the court reporter within the transcript. I also disagree with your assertion regarding how long Mr. Carman was deposed. I would note that Plaintiffs not Defendant chose to terminate the deposition. I have been in the office all afternoon and have not received a call from you as indicated below. I am presently heading into our weekly office meeting, however I will be available later on today to discuss or alternatively am available for such discussions next week.

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From: Dave Farrell [mailto:sealaw@LIVE.COM]
Sent: Friday, January 26, 2018 1:06 PM
To: David Anderson <danderson@lattianderson.com>
Cc: Richardhumphrey@richardhumphreylaw.com; Liam T O'Connell <liam@farrellsmith.com>; Sean O'Leary <sto@olearymurphy.com>
Subject: NLFIC and BoatU.S. v. Carman; D. R.I. Case 1:17-cv-00038-S-PAS
Importance: High

David,

Attached are two UPS Tracking #s for copies of Monday's Carman Deposition Exhibits: 1 box of 8½ x 11" Dep. Exs. 1-38 (plus a thumb drive of Woods Dep. Ex. 2); and 1 tube of the three NOAA charts, Dep. Exs. 3, 29, and 34. Delivery is scheduled for Monday January 29, 2018 before noon in your Boston office.

During the deposition we both on the record made our positions clear regarding my questioning of Mr. Carman "about the specific firearm that has been associated with the death of his grandfather," ECF No. 31, ¶ 8, of Judge Sullivan's December 12, 2017 Order. Your position was that is beyond the scope of discovery and you instructed him not to answer questions about the firearm and possible inheritance. While you and I met and conferred in person on that during the deposition and we were at a clear impasse, I want to make one more attempt in accordance with Fed. R. Civ. P. 37(a)(1) to discuss this with you before Monday when I plan to file a motion to compel Mr. Carman's deposition answers on the "Sig Sauer 716 Patrol .308 caliber rifle" referenced in the Search and Seizure Warrant related to John Chakalos' homicide, Ex. 37; USCG FOIA references to a boat ride on "the night the grandfather died," Ex. 38; and Mr. Carman's possible inheritance from his grandfather and mother.

I want to know when Mr. Carman bought that firearm, where, why, and information about permits and purchase receipts related to it; what happened to it because he apparently lost it and when; and what the boat ride reference means. There will be logical follow-up questions.

I am not done with the deposition. As I made clear, Mr. Carman's extensive answers (in one instance going back to kindergarten) and your multiple interruptions and speaking objections made me rush in an effort to complete the deposition within 7 hours. I believe we were around 6 hours, 45 minutes when we went off the record, which I will confirm with the Court Reporter. However, I will need some additional time to conduct the firearm/inheritance inquiries and afterwards to conduct some general wrap-up questioning, the total of which should not exceed one hour, absent any further impediments or delays by you and/or Mr. Carman. See Fed. R. Civ. P. 30(d)(1) and (2)(sanctions).

I will telephone you this afternoon.

Very truly yours,

David J. Farrell, Jr.

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